



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 6420-98
22 September 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Marine Corps on 22 September 1993 in the grade of SSGT (E-6). On 9 July 1995 you requested discharge for the good of the service to avoid trial by court-martial on two charges of disobeying orders to return to your duties as a recruiter. After review by the discharge authority, your request for discharge was approved. At that time it was directed that you be administratively reduced to LCPL (E-3). You received a general discharge on 6 October 1995.

In your application you are requesting that the DD Form 214 be corrected to show that you were a SSGT when discharged. However, Marine Corps regulations require that individuals discharged for the good of the service be administratively reduced to pay grade E-3. Since you have been treated no differently than others discharged for that reason, the Board could not find an error or injustice in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

You may request recharacterization of your discharge and a change in the reason for your discharge by completing the enclosed application, DD Form 293, and submitting it to the Naval

Discharge Review Board.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure